

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Cinemas – Reclassification of cinema theatres and enhancement of rates of admission – Stipulation of certain conditions for theatres / multiplexes for issue/renewal of license to Multiplexes and other theatres – Orders – Issued.

HOME (GENERAL.A) DEPARTMENT

G.O.Ms.No.100

Dt:26.04.2013.

Read the following:

1. Hon'ble High Court of Andhra Pradesh Common Order Dt: 25.09.2012 in W.P. Nos. 20656, 20658 and 20661 of 2011 and 3785 of 2012.
2. Minutes of the meeting held by Spl. C.S. (Home) with representatives of Film Chamber of Commerce and Cinematography Association on dt:27.09.2012
3. G.O.Ms.No.188, Home (Genl. A.1) Dept., Dt: 19.11.2012
4. Recommendations of the Committee,Dt:10.01.2013.

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ORDER:

The matter regarding revision of rates of admission to the cinema theatres in Andhra Pradesh was under consideration of the Government. Meanwhile, the Hon'ble High Court of A.P. in its common order in W.P. No. 20656,20658 and 20661 of 2011 and 3785 of 2012 dated:25.09.2012, quashed G.O.Ms.No.181, Home (Genl.A) Dept., dated:11.07.2011 with certain directions to Government to constitute a Committee to suggest factors to be considered while fixing rates of admission into various classes of the cinema theatres, classification of theatres and fixation of rates of admission into different classes in such theatres, based on which Government was directed to issue necessary orders within a specific time-frame.

2. Government have accordingly constituted a Committee vide reference 3rd cited. The Committee subsequently submitted its recommendations, based on which, and after carefully examining the matter, Government issue the following orders:

I. Government hereby classify areas (cities, towns, etc.) into the following five grades for purposes of fixing the rates of admission into the various classes of the cinema theatres:-

- (1) Grade I – Greater Hyderabad Municipal Corporation
- (2) Grade II – All Municipal Corporations
- (3) Grade III – Selection Grade Municipalities, Special Grade Municipalities and First Grade Municipalities
- (4) Grade IV – Second Grade Municipalities and Third Grade Municipalities
- (5) Grade V – Nagarpanchayats and Gram Panchayats

II. (a) Based on the above stated classification of grades (1), (2), (3), (4) and (5) of I above and based on the facilities being provided in cinema theatres indicated in Annexure-I, the Government hereby enhance ceiling on rates of admission into highest and lowest classes of cinema theatres as given in Annexure-II. The seats in the lowest class shall not be less than 20% of the total seats.

(b) The enhanced rates shall come into immediate effect. The old theatres constructed prior to 2005 shall within three months put in place the additional facilities under category II of Annexure-I except at Sl. No.2 and 3, in order to charge the enhanced rates thereafter. Similarly, within three months of issue of revised fire safety measures (as per the Govt. orders to be issued shortly), revised fire safety measures shall be put in place, failing which the theatres concerned shall charge only pre-revised rates. The licensing authorities shall monitor and ensure the same accordingly.

(c) The managements of the theatres are hereby empowered to fix the ceiling on rates of admission for intermediary classes, such as 2nd or 3rd class, between highest and lowest, depending on the number of classes the management wish to provide, with justifiable reasons with reference to spacing, quality of seats, etc. The managements shall indicate the same in their applications under rule 11A and 12A and the licensing authority shall after due consideration issue appropriate orders in Form-B license.

(d) Government hereby permit the theatres / multiplexes flexibility to lower the rates of admission to be less than the rate fixed for the highest class and lowest class as fixed by Government and as approved by the licensing authority for intermediary classes and to also increase the rates upto the maximum now allowed. However, the provision of flexibility in

reducing the rates and increasing upto maximum rate allowed is hereby extended to Municipalities Grades I to III, Nagar Panchayats and Gram Panchayats, subject to the condition that such decrease in rates of admission shall not have the effect of reduction of entertainment tax payable on the basis of gross collection capacity, until further orders. In respect of Municipal Corporations, Selection Grade and Special Grade Municipalities, the flexibility in reduction of rates or enhancing upto maximum rates allowed can be for any number of days. However, the theatres wishing to lower the rates or increase upto maximum rates allowed in all grades of areas shall also give prior intimation under proper acknowledgment to the licensing authorities and the local police concerned at least two (2) days before the revised rates are to be adopted by them. In addition, only those theatres in Municipal Corporations, Selection Grade and Special Grade Municipalities which make tickets available online, with simultaneous flow of information of such online sales to the local licensing authorities, entertainment tax authorities and the police authorities. i.e. sub-divisional and district level Commercial Taxes, Revenue and Police officials concerned, shall be eligible for such flexibility. Failure to comply with the conditions shall entail collection of entertainment tax on the maximum rates allowed.

- (e) Whenever a show is being organized for raising funds by some organization and it is intended by the theatre management to sell tickets in bunch or in groups, etc., necessary permission should be obtained from the licensing authority. Entertainment tax is payable on the additional amount so collected, if any.

III. Further, for all future permissions in Municipal Corporations and Municipalities, the licensing authority shall also obtain the traffic impact study by a recognized, qualified agency or Govt. body or university for considering permission for construction clearance.

IV. Government hereby order the increase of Tax Free Maintenance Charge from Re.1/- to Rs.2/- and from Rs.2/- to Rs.3/- for ordinary and AC /Air Cooled theatres respectively.

V. The following conditions shall be adhered to by all theatres and multiplexes:-

(a).The management/lease holders shall be responsible for ensuring that the relevant conditions stipulated under the Legal Metrology Act, 2009 and Legal Metrology Packaged Commodity Rules, 2011 are followed.

(b).Compliance with provisions under Food Safety & Standards Regulations, 2011 made under Food Safety and Standards Act, 2006 (FSS Act) shall be mandatory for all food canteens/points etc. in theatres / multiplexes.

(c).All managements shall extend the benefit of the provisions of Employee Provident Fund and Miscellaneous Provisions Act, 1952 and Employees State Insurance in favour of all their eligible employees, apart from adhering to Minimum Wages Act, Labour Laws, etc. for the welfare of their employees.

(d).All theatres and multiplexes shall provide two spaces for placing two wheel chairs at convenient spots, with appropriate safety measures such as clamps, etc. for disabled and senior citizens, apart from disabled friendly facilities such as ramps, etc. for accessibility.

VI The conditions for issuing / renewal of license shall be as at Annexure III, and the managements shall also follow such other conditions as may be prescribed by the licensing authorities.

The District Collectors, Licensing Authorities and all concerned shall take further necessary action accordingly.

This order issues with the concurrence of Finance Department vide U.O. Note No 248/PFS/13, dated: 11-01-2013.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**PRABHAKAR D. THOMAS,
SPECIAL CHIEF SECRETARY TO GOVERNMENT**

To

All Collectors & Licensing Authorities in the State (w.e).

PrI. Secretary (Revenue)

PrI. Secretary, MA & UD Dept.

Copy to:

The Commissioner, Commercial Taxes

The P.S. to Chief Secretary to Govt.

The P.S. to Minister (I & PR and Cinematography)

The P.S. to Spl.C.S. to Govt., Home.

The Members of High Power Committee

The G.P. for Home, High Court, Andhra Pradesh

Sc/Sf.

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE -I**STATEMENT SHOWING CATEGORIES (1&2) OF FACILITIES FOR DIFFERENT GRADES OF AREAS & THE CATEGORIES OF THE CINEMA THEATRES**

Sl.No.	Item	GHMC area		Other Municipal Corporations areas		Selection Grade Special Grade and First Grade Municipality areas		Second and Third Grade Municipality areas		Nagarpanchayats and Gram Panchayats areas	
		Grade-I		Grade-II		Grade-III		Grade-IV		Grade-V	
		Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category-1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres
		(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)
1.	Cooling System	---	Air Condition / Air Cooled	---	Air Condition / Air Cooled	---	Air Condition / Air Cooled	---	Air Condition / Air Cooled	---	Air Condition / Air Cooled
2.	Accommodation of Seats	25 persons per 9 Sq. Metres (Item 19(2) of App.I)	20 persons per 9 Sq. Metres (Item 19(2) of App.I) (for new theatres)	25 persons per 9 Sq. Metres (Item 19(2) of App.I)	20 persons per 9 Sq. Metres (Item 19(2) of App.I) (for new theatres)	25 persons per 9 Sq. Metres (Item 19(2) of App.I)	20 persons per 9 Sq. Metres (Item 19(2) of App.I) (for new theatres)	25 persons per 9 Sq. Metres (Item 19(2) of App.I)	20 persons per 9 Sq. Metres (Item 19(2) of App.I) (for new theatres)	25 persons per 9 Sq. Metres (Item 19(2) of App.I)	20 persons per 9 Sq. Metres (Item 19(2) of App.I) (for new theatres)
3.	Space between rows	0.35 metres (Item 19(5) of App.I)	0.45 metres (Item 19(5) of App.I) (for new theatres)	0.35 metres (Item 19(5) of App.I)	0.45 metres (Item 19(5) of App.I) (for new theatres)	0.35 metres (Item 19(5) of App.I)	0.45 metres (Item 19(5) of App.I) (for new theatres)	0.35 metres (Item 19(5) of App.I)	0.45 metres (Item 19(5) of App.I) (for new theatres)	0.35 metres (Item 19(5) of App.I)	0.45 metres (Item 19(5) of App.I) (for new theatres)
4.	Seat type/nature of seat	Ordinary / Cushion type	Cushion with Push back / Recliner type / Sofa	Ordinary / Cushion type	Cushion with Push back / Recliner type / Sofa	Ordinary / Cushion type	Cushion with Push back / Recliner type / Sofa	Ordinary / Cushion type	Cushion with Push back / Recliner type / Sofa	Ordinary / Cushion type	Cushion with Push back / Recliner type / Sofa
5.	Sound System	Mono sound system	Digital sound system with combination of three way / surround system	Mono sound system	Digital sound system with combination of three way / surround system	Mono sound system	Digital sound system with combination of three way / surround system	Mono sound system	Digital sound system with combination of three way / surround system	Mono sound system	Digital sound system with combination of three way / surround system

Sl.No.	Item	GHMC area		Other Municipal Corporations area		Selection Grade Special Grade and First Grade Municipality areas		Second and Third Grade Municipality areas		Nagarpanchayats and Gram Panchayats areas	
		Grade- I		Grade - II		Grade-III		Grade-IV		Grade-V	
		Category-1	Category-2	Category-1	Category-2	Category-1	Category-2	Category-1	Category-2	Category-1	Category-2
		(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)
6.	Projection System	Arc Lamp	Xenon Bulb/Digital projection	Arc Lamp	Xenon Bulb/Digital projection	Arc Lamp	Xenon Bulb/Digital projection	Arc Lamp	Xenon Bulb/Digital projection	Arc Lamp	Xenon Bulb/Digital projection
7.	Generator or UPS	For screen and emergency lights	100% Generator facility	For screen and emergency lights	100% Generator facility	For screen and emergency lights	100% Generator facility	For screen and emergency lights	100% Generator facility	For screen and emergency lights	100% Generator facility
8.	Toilets	Without auto flush but running water throughout	Auto flush facility with high levels of hygiene	Without auto flush but running water throughout	Auto flush facility with high levels of hygiene	Without auto flush but running water throughout	Auto flush facility with high levels of hygiene	Without auto flush but running water throughout	Auto flush facility with high levels of hygiene	Without auto flush but running water throughout	Auto flush facility with high levels of hygiene
9.	Lighting		(i). LED lights on every step raiser in the auditorium and seat lights		(ii). LED lights on every step raiser in the auditorium and seat lights		(ii). LED lights on every step raiser in the auditorium and seat lights		(ii). LED lights on every step raiser in the auditorium and seat lights		(ii). LED lights on every step raiser in the auditorium and seat lights

			(ii). LCD screen in the Box Office counter displaying information to customers		(iii). LCD screen in the Box Office counter displaying information to customers		(iii). LCD screen in the Box Office counter displaying information to customers		(iii). LCD screen in the Box Office counter displaying information to customers		(iii). LCD screen in the Box Office counter displaying information to customers
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NOTE: The new Rates of Admission in Annexure-II shall come into immediate effect subject to the following:-

- (1) The existing cinema theatres under Category -2 above, shall provide the additional facilities enlisted thereunder, except at Sl.No.2 & 3 within three (3) months, failing which those theatres shall be treated under Category-1 and rates of admission shall be permitted accordingly, They shall provide the revised fire safety measures within three months from the date of issue of Government Orders, failing which they shall be eligible for rates under Cat.I
- (2) New theatres shall provide the additional facilities as follows for eligibility under Category-2:-
 - (a) Accommodation of seats shall be 20 persons per 9 Sq. Metres.
 - (b) The space between the rows shall be 0.45 metres.
 - (c) Plush / proper carpeting in the Auditorium shall be provided.

ANNEXURE –II

STATEMENT SHOWING RATES OF ADMISSION FOR DIFFERENT GRADES OF AREAS & CLASSES IN CATEGORIES 1&2 OF THE CINEMA THEATRES

GHMC area Grade-I		Other Municipal Corporations areas Grade-II		Selection Grade Special Grade and First Grade Municipality areas Grade-III		Second and Third Grade Municipality areas Grade-IV		Nagarpanchayats and Gram Panchayats areas Grade-V	
Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres
(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)
<u>Ordinary Class – I</u> Proposed Rs. 45/-	<u>Class – I</u> Proposed Rs.75/- (A/c) Rs.70/- (Air Cooled)	<u>Ordinary Class – I</u> Proposed Rs.40/-	<u>Class – I</u> Proposed Rs.75/- (A/c) Rs.70/- (Air Cooled)	<u>Ordinary Class – I</u> Proposed Rs.35/-	<u>Class – I</u> Proposed Rs.55 /- (A/c) Rs.50/- (Air-Cooled)	<u>Ordinary Class – I</u> Proposed Rs.30/-	<u>Class – I</u> Proposed Rs.50/- (A/c) Rs.45/- (Air Cooled)	<u>Ordinary Class – I</u> Proposed Rs. 30/- (Same)	<u>Class – I</u> Proposed Rs.45/- (A/c) Rs.40/- (Air-Cooled)

GHMC area Grade-I		Other Municipal Corporations areas (Total =18) Grade-II		Selection Grade (Total=5) Special Grade (Total = 9) and First Grade (Total=22) Municipality areas Grade-III		Second (Total=42) and Third Grade (Total=37) Municipality areas Grade-IV		Nagarpanchayats (Total=38) and Gram Panchayats (Total =21,807) areas Grade-V	
Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres	Category -1 Theatres	Category-2 Theatres
(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)	(As per CG rules)	(With additional facilities)
<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>	<u>Class –II / III</u>
<u>Last Class Ordinary: Proposed Rs.10/-</u>	<u>Last Class</u>	<u>Last Class Ordinary: Proposed Rs. 10/-</u>	<u>Last Class</u>	<u>Last Class Ordinary: Proposed Rs.10/-</u>	<u>Last Class</u>	<u>Last Class Ordinary: Proposed Rs.10/-</u>	<u>Last Class</u>	<u>Last Class Ordinary: Proposed Rs.10/-</u>	<u>Last Class</u>
	Proposed Rs.10/- (A/c)		Proposed Rs.10/- (A/c)		Proposed Rs.10/- (A/c)		Proposed Rs. 10/- (A/c)		Proposed Rs.10/- (A/c)
	Rs.10/- (Air Cooled)		Rs. 10/- (Air Cooled)		Rs.10/- (Air- Cooled)		Rs.10/- (Air Cooled)		Rs.10/- (Air-Cooled)

ANNEXEURE -III

CONDITIONS FOR MUTIPLEXES

- a. The CCTV system shall be maintained without any interruption.
- b. Night vision cameras to be installed specially at the box office to capture the images of the patrons buying tickets during the late evening hours.
- c. The patrons shall be provided with lifts/escalators for exit at the end of the shows on par with such facility provided at the time of entering the theatre.
- d. The first two rows of seats from the screen shall be earmarked and provided at a lower rate of admission than the seats behind.

CONDITIONS FOR THEATRES AND MULTIPLEXES

- e. The rates of tickets and rates of online cinema ticket service charges with the name of the agency shall be exhibited at the counter and in any other conspicuous manner.
- f. All gangways, exits and treads of steps and stairways shall be maintained with non-slippery surfaces at all times.
- g. The corridors, area earmarked for lobby and parking for the use of cinegoers, should not be let out for any commercial or other purpose.
- h. No vehicle shall be parked or allowed to stand in such a way as to obstruct exits or impede the rapid dispersal of persons accommodated, in the event of fire or panic.
- i. Emergency evacuation plan shall be drawn and got approved by the licensing authority within one month. (Uphaar Theatre- Hon'ble Supreme Court Directions)
- j. A short documentary shall be screened during every show by showing the exits, emergency escape routes and instructions as to what to do and what not to do in the case of fire or other hazards (Uphaar Theatre – Hon'ble Supreme Court Directions).
- k. The staff/ushers including security staff should be periodically trained to operate the fire safety equipment during emergency in fire drills and evacuation procedures to provide support to the patrons in case of fire or any other calamity. Mock drills shall be conducted once in every 6 months. (Uphaar Theatre- Hon'ble Supreme court Directions).
- l. While the theatres are entitled to regulate the exit through doors other than the entry door, under no circumstances should the entry door (which can act as an emergency exit in the event of fire or other emergency) be bolted from outside. At the end of the show, the ushers may request the patrons to use the exit doors by placing a temporary barrier across the entry gate which should be easily movable (Uphaar Theatre – Hon'ble Supreme Court Directions)
- m. The emergency department telephone nos. of nearest Hospitals, Police Station and Fire Department shall be displayed in every show.
- n. The management should facilitate periodical inspection by the Fire Officer concerned.
- o. The management should obtain insurance coverage for all the employees and audience/visitors/vendors.
- p. The Management shall ensure all safety measures including fire safety measures as prescribed by Government National Building Code and other statutes or orders issued by Government from time to time.